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11 Attorneys for Petitioner
12 MANUEL MENDOZA

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 MANUEL MENDOZA,

16 Petitioner,

17 v.

18 JEANNE WOODFORD, Warden of
19 California State Prison at San Quentin,
20 Respondent.

Case No.: CV 03-06194-SJO

DEATH PENALTY CASE

PETITIONER'S UNOPPOSED
REQUEST FOR SECOND
EXTENSION OF TIME IN WHICH
TO FILE TRAVERSE;
DECLARATION OF DARLENE
RICKER

[PROPOSED] ORDER LODGED

21 Petitioner Manuel Mendoza, by and through his attorneys of record, hereby
22 requests an extension of time to February 24, 2006 in which to file his Traverse.

23 This request is unopposed and is based upon the attached declaration of Darlene
24 Ricker.

25 Respectfully submitted,

26 Dated: January 18, 2006

27 *DM Ricker*
28 Darlene M. Ricker
Counsel for Petitioner
Manuel Mendoza

DOCKETED ON CM

Unopposed Request for 2nd Extension of Time to File Traverse - JAN 19 2006

BY *DW* 026

FILED

2006 JAN 18 AM 10:30

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

Order passed under

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DECLARATION OF DARLENE RICKER

I, DARLENE RICKER, state and declare as follows:

1. I am an attorney duly licensed to practice law in the state of California and before the bar of this Court. All of the facts stated herein are true of my personal knowledge or upon belief and information and if called upon to testify thereto, I could and would do so competently.
2. This declaration is made in support of Petitioner's Request for Extension of Time in Which to File Traverse.
3. This request is unopposed. I have spoken with Deputy Attorney General Scott Taryle, who is handling the instant case during the temporary absence of DAG Paul Roadarmel, regarding the instant request for a second extension of time in which to file the Traverse. Mr. Taryle stated that Respondent has no objection to the requested extension.
4. On December 6, 2005, Petitioner filed an unopposed request for extension of time ("EOT") in which to file his Traverse, up to and including January 18, 2006.
5. A further extension is needed because until today, the efforts of Petitioner's counsel have been focused on preparation of the Phase III

1 [Proposed] Budget and an expert funding application, both of which
2 are filed concurrently with the instant request.
3

- 4 6. Diligent efforts have been made toward preparation of the Traverse.
5 While preparing the budget proposal, co-counsel Karyn Bucur and I
6 performed preliminary work on the Traverse but have been unable to
7 complete it. We have analyzed Respondent's Answer and formulated
8 a proposal for preparation of the Traverse (*see*, supporting statement
9 and declarations of counsel, attached to Phase III [Proposed] Budget).
10
11 7. The Traverse cannot be timely filed because adequate preparation of
12 same will require substantial efforts, and my trial schedule for the first
13 two months of this year is particularly heavy.
14
15 8. Therefore, I respectfully request that the Court grant an extension of
16 time up to and including February 24, 2006 in which to file the
17 Traverse. I anticipate no further requests for EOT to file the Traverse.
18
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22 Executed this 18th day of January, 2006, under penalty of perjury
23 under the laws of the United States of America, at Malibu, California.
24

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26 _____
27 DARLENE RICKER
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action; my business address is 25019 Pacific Coast Hwy., P.O. Box 2285, Malibu, California 90265.

As a member of the bar of this Court, I served the foregoing document described as:

“PETITIONER’S UNOPPOSED REQUEST FOR SECOND EXTENSION OF TIME IN WHICH TO FILE TRAVERSE; DECLARATION OF DARLENE RICKER”

on January 18, 2006, on all interested parties in this action as follows:

(x) By personal service, I delivered said document to the office of the addressee as follows:

Capital Case Law Clerks
United States Courthouse – Rm. 830
312 N. Spring Street
Los Angeles, CA 90012

(x) By mail, I caused said document to be placed in an envelope, with postage thereon fully prepaid, in the United States mail at Malibu, California, addressed to:

Paul Roadarmel, Esq.
Scott Taryle, Esq.
Deputy Attorneys General
Office of Attorney General of California
300 S. Spring St., Ste. 500
Los Angeles, CA 90013-1204

Executed on January 18, 2006, at Malibu, California. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my personal knowledge.



DARLENE M. RICKER